AMENDMENT TO THE CLAIMS

This listing of claims shall replace all prior versions and listings of claims in the application:

1. (Currently amended)   An automated auction and tender system for effecting electronic transactions between a tender initiator and a tender recipient ~~a tender recipient to respond to at least one tender created by a tender initiator, wherein the at least one tender is provided for a complex multi-variable commodity including at least one term~~, comprising:

a storage device for storing data which relates to ~~the~~ at least one ~~term~~ tender of a multi-variable commodity having at least one term ~~of the at least one tender; and~~,

a processing device for generating at least one tender, created by said tender initiator, wherein said at least one tender having an exception request which permits a change to said at least one term of said multi-variable commodity;

a ~~processing~~ communication network ~~device~~ for transmitting information, corresponding to ~~the~~ said ~~stored data~~ at least one tender, ~~the~~ to said tender recipient,

said ~~processing~~ communication network ~~device~~ further configured for receiving a request from ~~the~~said tender

recipient to change said at least one term of ~~the~~ said at

least one tender,

   wherein said at least one term that is changed is

requested by said tender recipient only if said exception

request permits a change when said at least one tender is

generated by said tender initiator,

   wherein ~~the~~ said at least one term of ~~the~~ said at least

one tender that is changed relates to a physical

characteristic of the complex multi-variable commodity.

2. (Canceled)

3. (Canceled)

4. (Original) The system according to claim 1, wherein the

processing device executes a program on a remote device.

5. (Original) The system according to claim 1, wherein the

storage device includes a database storing data which is

related to the at least one tender.

6. (Original) The system according to claim 5, wherein the

database is a relational database.

7. (Canceled)

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8. (Previously presented)   The system according to claim 1, wherein the processing device:

receives the stored data,

analyzes the stored data, and

transmits the information to a further processing device,

wherein the information is transmitted in response to the received data.

9. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives the information electronically via the Internet.

10. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.

11. (Currently amended) A computer-implemented method for a tender recipient to respond to at least one tender created by a tender initiator, wherein the at least one tender is provided for a complex multi-variable commodity including at least one term effecting electronic

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transactions between a tender initiator and a tender
recipient, comprising the steps of:

storing, via a storage device in communication with
the tender initiator, data which relates to at least one
tender of a multi-variable commodity having at lest one
term;

~~receiving data for the at least one term of the at~~
~~least one tender via a network of processing devices;~~

generating, via a processing device in communication
with a network server, the at least one tender by the
tender initiator, wherein the at least one tender having an
exception request which permits a change to the at least
one term of the multi-variable commodity;

transmitting, via a communications network,
information corresponding to the ~~received data~~ at least one
tender to ~~a device~~ the tender recipient; ~~and~~

receiving, via the communications network, a request
from the tender recipient to change the at least one term,

wherein the at least one term that is changed is
requested by the tender recipient only if the exception
request permits a change when the at least one tender is
generated by the tender initiator,

~~accepting input from the tender recipient for~~
~~generating an exception to change a term of the at least~~
~~one tender,~~

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wherein the <u>at least one</u> term of the at least one

tender that is changed by the exception relates to a

physical characteristic of the complex multi-variable

commodity.

12-14. (Canceled)

15. (Currently amended) A method for a tender recipient to

respond to at least one tender created by a tender

initiator, ~~wherein the at least one tender is provided for~~

~~a complex multi-variable commodity including at least one~~

~~term,~~ comprising the steps of:

receiving ~~and transmitting data for the at least one~~

~~term of the at least one tender via the Internet,~~ <u>via the</u>

<u>communications network in communication with the tender</u>

<u>recipient, at least one tender for a multi-variable</u>

<u>commodity having at least one term, wherein the at least</u>

<u>one tender having an exception request, and wherein the</u>

<u>exception request permits a change to the at least one</u>

<u>tender;</u>

transmitting ~~information corresponding to the received~~

~~data to a device,~~ <u>via the communications network in</u>

<u>communication with the tender recipient, a request to</u>

<u>change the at least one term of the multi-variable</u>

<u>commodity;</u> and

accepting ~~input from the tender recipient for~~ ~~generating an exception to change a term of the at least~~ ~~one tender~~, via the communications network in communication with the tender recipient, the request by the tender initiator to change the at least one term of the multi-variable commodity,

wherein the at least one term that is changed is requested by the tender recipient only if the exception request permits a change when the at least one tender is received by the tender initiator,

wherein the at least one term of the at least one tender that is changed by the exception relates to a physical characteristic of the complex multi-variable commodity.

16. (Canceled)

17. (Currently amended) A system for utilizing at least one tender created by a tender initiator~~, wherein the at~~ ~~least one tender is provided for a complex multi-variable~~ ~~commodity including at least one term,~~ comprising:

a storage device for storing data which relates to ~~the~~ said at least one term of ~~the~~ said at least one tender for a complex multi-variable commodity, wherein said at least one tender having an exception request permitting a change

to said at least one term of said multi-variable commodity; and

a processing device for transmitting and receiving information corresponding to ~~the~~ said stored data, wherein ~~the~~ said processing device at least one of transmits and receives ~~the~~ said information corresponding to ~~the~~ said stored data electronically via ~~the~~ an Internet, and receiving a request from a tender recipient to change a term of ~~the~~ said at least one tender, wherein said processing device receives said request from said tender recipient only if said exception request is transmitted with said at least one tender,

wherein ~~the~~ said term of ~~the~~ said at least one tender that is changed relates to a physical characteristic of ~~the~~ said complex multi-variable commodity.

18. (Canceled)

19. (Original) the system according to claim 17, wherein the processing device executes a program on a remote device.

20. (Original) The system according to claim 17, wherein the storage device includes a database storing data which is related to the at least one tender.

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21.   (Original) The system according to claim 20, wherein the database is a relational database.

22.   (Previously presented)   The system according to claim 17, wherein the processing device:

receives the stored data,

analyzes the stored data, and

transmits the information to a further processing device, wherein the information is transmitted in response to the received data.

23.   (Canceled)

24.   (Original)   The system according to claim 17, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.

25.   (Canceled)

26.   (Currently amended)   A method for utilizing at least one tender created by a tender initiator, ~~wherein the at least one tender is provided for a complex multi-variable~~

~~commodity including at least one term~~, comprising the steps of:

receiving, ~~data~~ via a network of processing devices <u>in</u> <u>communication with a tender initiator, data</u> for the at least one term of the at least one tender<u>, wherein the at</u> <u>least one tender is provided for a complex multi-variable</u> <u>commodity</u>;

transmitting, ~~information~~ via the communications network, <u>the at least one tender</u> corresponding to the received data~~; and~~<u>, wherein the at least one tender having</u> <u>an exception request</u>;

accepting,<u> via the network of processing devices in</u> <u>communication with the tender initiator,</u> ~~from a tender~~ ~~recipient~~ a request <u>from the tender recipient</u> for an exception to change the <u>at least one</u> term of the at least one tender,

<u>wherein the at least one term is changed by only if</u> <u>the exception is transmitted by the tender initiator,</u>

wherein the <u>at least one</u> term of the at least one tender that is changed by the exception relates to a physical characteristic of the complex multi-variable commodity.

27. (Canceled)

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